

III. REMARKS

Independent claims 1, 21 and 22 now recite at least one of:

- a) controlling transmission of packets by a transmission window size parameter; or
- b) sending a transmission window size parameter value zero to prevent transmission.

Since neither of these features is found in Gilchrist, the rejection of claims 1-4, 9, 13, 17 and 21-22 under 35 USC 102 on Gilchrist should be withdrawn.

Further, since there is no suggestion of these features in Gilchrist, these claims, as well as claims 6 and 20 are unobvious over it. This is particularly true since these features have the advantage that the transmission of packets from the other peer (12) to the terminal (MS) can be controllable postponed until the terminal (MS) switches from circuit-switched service back to packet-switched service.

Thus the rejection of claims 6 and 20 under 35 USC 103 over Gilchrist should be withdrawn.

Sen deals with a problem which is different from the problem the present invention solves. It is admitted that a zero window is present in the teachings of Sen. The use of zero windows was known in TCP world at the time of making the present invention. However, the purpose was different. While it was known to use a zero window in congestion avoidance (for example, to stop transmission in the situation in which the receiver buffer became full and it was desired to avoid overflow), it was not known to use a zero window in connection with a suspend state which the present

application describes. Thus it is not obvious to combine Sen with Gilchrist since Sen is for a different problem than the present invention.

Hence the rejection of claims 5, 7-8, 11-12, 14-16 and 19 under 35 USC 103 on this combination of references should be withdrawn.

Similarly, Darby fails to disclose the above features. Thus combining it with Gilchrist and Sen does not result in the present invention.

Hence the rejection of claims 10 and 18 under 35 USC 103 on this combination of references should be withdrawn.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

Henry L. Steckler

Henry L. Steckler

Reg. No. 24,139

Nov. 23, 2004

Date

Perman & Green, LLP
425 Post Road
Fairfield, CT 06824
(203) 259-1800
Customer No.: 2512

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